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## CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

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MEMORANDUM FOR: Deputy Director  
Office of Management and Budget

FROM: Harry E. Fitzwater  
Deputy Director for Administration

SUBJECT: Proposal for a Uniform Federal Procurement System

REFERENCES: A. Multiple Addressee memorandum from Donald E. Sowle, dtd 30 October 1981, same subject

B. Letter for Mr. Donald E. Sowle from Harry E. Fitzwater, dtd 10 December 1981

C. Multiple addressee memorandum from Edwin Harper, dtd 12 Feb 1982, same subject

1. Reference A requested our comments on a draft entitled, "Proposal for a Uniform Federal Procurement System," dated October 29, 1981. The requested comments were provided in some detail by Reference B. Reference C now requests our comments on a "final draft" of a document dated February 12, 1982, which is also entitled, "Proposal for a Uniform Federal Procurement System," but which bears little resemblance to the earlier draft. This unusual procedure has caused us some difficulty in evaluating the differences between the two drafts and the degree to which our earlier comments have been incorporated.

2. Chapters 1 through 4 of the document currently under review are introductory, provide background information, or describe possible future directions for our Federal Government procurement system. While reserving the right to take exception to statutory or regulatory proposals emanating from these chapters, we agree generally with their thrust.

3. Chapter 5 includes sections 1 through 3 which propose to amend the Armed Services Procurement Act, the Federal Property and Administrative Services Act, and the Office of Federal Procurement Policy Act, respectively. Section 4, entitled, "Miscellaneous Amendments and Repeals," was not included. Before

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offering specific comments on these individual sections, we note that their applicability seems to be to all Federal Government departments and agencies. It is essential that any uniform procurement system proposal supported by the Administration includes an explicit endorsement of the unique requirements and special authorities of the Central Intelligence Agency (CIA). We request, therefore, that sections 1, 2, and 3 be modified to include the following language:

Nothing in this Act shall be construed to require any disclosure of information which would be inconsistent with the protection of intelligence sources or methods, or to otherwise affect the authorities granted to the Director of Central Intelligence or to the Central Intelligence Agency by statute or executive order. Nor shall anything in this Act be construed to affect any regulation issued pursuant to section 403c or 403j of Title 50, United States Code, or any subsequently enacted legislation related to the procurement authorities of the Central Intelligence Agency.

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Other comments on Chapter 5 are as follows:

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Section 4: This section has not been completed and was not, therefore, included for review. CIA reserves the right to comment on this section at such time that it becomes available.

4. In closing, may I say that we appreciate the opportunity to comment on the "final draft" of the Proposal for a Uniform Federal Procurement Policy System.

STAT

Harry E. Fitzwater

**Attachments:**

References A and B

**Distribution:**

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